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LOS ANGELES
SUPERIOR COURT

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

YASUHARU (PETER) UNO as successor in
interest to NORIKO UNO deceased, and JEFFREY
UNO as successor in interest to NORIKO UNO
deceased,

Plaintiffs,
vs.

TOYOTA MOTOR SALES, U.S.A., INC., a
California corporation; TOYOTA MOTOR
CORPORATION, a foreign corporation; R&C
MOTOR CORPORATION, California Corporation
DBA CLAREMONT TOYOTA, and DOES 1
through 100, inclusive,

Defendants.

Case No.: KC057888 J

COMPLAINT FOR DAMAGES

1. Products Liability (Injuries and Damages;
Wrongful Death and Survival; Punitive
Damages)
2. Negligence (Injuries and Damages;
Wrongful Death and Survival; Punitive
Damages)
3. Breach of Express and Implied
Warranties (Injuries and Damages;
Wrongful Death and Survival; Punitive
Damages)

Plaintiffs allege:

ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

1. Plaintiffs YASUHARU UNO and JEFFREY UNO are residents of the County of San Bernardino, State of California. Plaintiff YASUHARU UNO is the husband of decedent NORIKO UNO and plaintiff JEFFREY UNO is the son of decedent NORIKO UNO. Plaintiffs are the successors-in-interest and succeed to the causes of action of the aforesaid decedent against defendants named herein. Plaintiffs have executed and filed the declarations under penalty of perjury required by Code of Civil Procedure, § 377.32. Plaintiffs hereby demand a jury trial.

2. The true names and/or capacities, whether individual, corporate, governmental, associate or

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1 otherwise of defendant DOES 1 through 100, inclusive, and each of them, are unknown to plaintiffs, who
2 therefore sue said defendants by such fictitious names. Plaintiffs are informed and believe, and thereon
3 allege, that each defendant fictitiously named herein as a DOE is legally responsible for negligence, strict
4 liability, misrepresentation, or fraud, and such other occurrences as alleged herein, for the events and
5 damages hereinafter referred to, and which legally thereby caused the injuries and damages to plaintiffs as
6 hereinafter alleged. Plaintiffs will ask leave of court to amend this Complaint to insert the true names
7 and/or capacities of such fictitiously named defendants when the same have been ascertained.

8 3. Defendants TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA MOTOR
9 CORPORATION, R&C MOTOR CORPORATION, California Corporation DBA CLAREMONT
10 TOYOTA and DOES 1 through 100, inclusive, and each of them, while acting as a principal, were
11 negligent in the selection and hiring of defendants and DOES 1 through 100, inclusive, and each of them.
12 Defendants TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA MOTOR CORPORATION; R&C
13 MOTOR CORPORATION, California Corporation DBA CLAREMONT TOYOTA and DOES 1 through
14 100, inclusive, and each of them, as aforesaid, when acting as an agent, employee and/or joint venturer was
15 negligent in the selection and hiring of defendants and DOES 1 through 100, inclusive, and each of them.

16 4. Plaintiffs are informed and believe, and thereupon allege, that at all times relevant and
17 mentioned herein, defendants TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA MOTOR
18 CORPORATION; R&C MOTOR CORPORATION, California Corporation DBA CLAREMONT
19 TOYOTA and DOES 1 through 100, inclusive, and each of them, were the agents, servants, employees,
20 independent contractors, co-conspirators, retailers, distributors, wholesalers, management companies,
21 subsidiaries and/or joint venturers of the remaining defendants, and each of them, and were at all times
22 material hereto acting within the authorized course, scope and purpose of said agency and employment,
23 and/or that all of said acts were subsequently performed with the knowledge, acquiescence, ratification and
24 consent of the respective principals, and the benefits thereof accepted by said principals.

25 5. Plaintiffs are informed and believe, and thereon allege, that all of the acts and conduct
26 herein below described of defendants TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA MOTOR
27 CORPORATION; R&C MOTOR CORPORATION, California Corporation DBA CLAREMONT
28 TOYOTA and DOES 1 through 100, inclusive, and each of them, was duly authorized, ordered and

1 directed by the respective and collective DOE defendant corporations. In addition thereto, said corporate
2 employers participated in the aforementioned acts and conduct of their said employees, agents and
3 representatives and each of them, and upon completion of the aforesaid acts and conduct of said corporate
4 employees, agents and representatives, Defendants TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA
5 MOTOR CORPORATION; R&C MOTOR CORPORATION, California Corporation DBA
6 CLAREMONT TOYOTA and DOES 1 through 100, inclusive, and each of them, respectively and
7 collectively, ratified, accepted the benefits of, condoned, lauded, acquiesced, approved and consented to
8 each and every of the said acts and conduct of the aforesaid corporate employees, agents and
9 representatives.

10 6. Defendant TOYOTA MOTOR SALES, U.S.A., INC. (hereinafter referred to as
11 "TOYOTA") was and is a California corporation authorized to do business under the laws of the State of
12 California, and, at all times herein mentioned, was and is engaged in the business of promoting and selling
13 Toyota automobiles within the County of Los Angeles, State of California, with its principal place of
14 business located at 19001 South Western Avenue, in the City of Torrance, County of Los Angeles.

15 7. Defendant TOYOTA MOTOR CORPORATION (hereinafter, referred to as "TMC") is a
16 Japanese corporation with its principal place of business located at 1 Toyota-Cho, Toyota City, Aichi
17 Prefecture 471-8571, Japan. At all times herein mentioned, defendant TOYOTA MOTOR
18 CORPORATION was and is authorized to do business within the State of California, and was and is
19 engaged in the business of deriving profit from designing, manufacturing, warning, advertizing, promoting
20 and importing Toyota automobiles for sale within the County of Los Angeles, State of California.

21 8. Defendant R&C MOTOR CORPORATION, DBA CLAREMONT TOYOTA, (hereinafter,
22 referred to as "R&C") was and is a California corporation, organized and existing under the laws of the
23 State of California, and, at all times herein mentioned, was and is engaged in the business of selling Toyota
24 automobiles in the County of Los Angeles, State of California, with its principal place of business located
25 at 508 Auto Center Drive in the City of Claremont, County of Los Angeles.

26 9. On August 28, 2009, decedent NORIKO UNO, a seat belted vehicle operator, was driving
27 her 2006 Toyota Camry, bearing California License Plate Number 5RXJ569 (hereinafter referred to as
28 "SUBJECT CAMRY"), in an intended and foreseeable manner on southbound Euclid Avenue in the City

1 of Upland, County of San Bernardino. The SUBJECT CAMRY owned and operated by decedent
2 NORIKO UNO was designed, manufactured, equipped, warranted, promoted, advertised, warned,
3 distributed and sold by defendants TOYOTA, TMC, R&C, and DOES 1 THROUGH 100.

4 10. On August 28, 2009, despite being operated by decedent NORIKO UNO in a foreseeable
5 and intended manner, the SUBJECT CAMRY suddenly and unexpectedly accelerated from roadway speeds
6 to speeds up to 100 miles per hour on southbound Euclid Avenue in the City of Upland. In an effort to
7 control the sudden unexpected acceleration of the SUBJECT CAMRY, decedent NORIKO UNO attempted
8 various actions, which included stepping on the brake pedal. None of her efforts were in any manner
9 successful in slowing or controlling the SUBJECT CAMRY, which continued to accelerate southbound on
10 Euclid Avenue at a high rate of speed. Due to the inability of decedent NORIKO UNO to slow or stop the
11 SUBJECT CAMRY or control its movements, decedent NORIKO UNO entered opposing traffic and now
12 traveling southbound on the northbound lanes of Euclid Avenue. Multiple witnesses, identified within the
13 Traffic Collision Report, observed decedent NORIKO UNO with her hands on the steering wheel of the
14 SUBJECT CAMRY, attempting to control the SUBJECT CAMRY in an attempt to dodge oncoming
15 traffic. Decedent NORIKO UNO swerved to her right to avoid a collision with an oncoming truck and
16 entered the center median separating the southbound and northbound lanes of Euclid Avenue. Upon
17 entering the median and while still at a high rate of speed, the SUBJECT CAMRY struck a telephone poll,
18 destroyed a tree, became airborne and came to rest by impacting a large tree. Witnesses who approached
19 the SUBJECT CAMRY immediately after it came to rest observed decedent NORIKO UNO still seat
20 belted in her seat, yet had suffered life-taking injuries, including severe head and upper body trauma.

21 11. The aforesaid events, death of NORIKO UNO, and resulting injuries and damages to
22 plaintiffs YASUHARU UNO and JEFFREY UNO were caused by the SUBJECT CAMRY, including its
23 design, warning, manufacture, marketing, service, inspection, distribution, and sale. At no time prior to the
24 SUBJECT CAMRY suddenly and unexpectedly accelerating on August 28, 2009, did the SUBJECT
25 CAMRY and defendants TOYOTA, TMC, R&C, and DOES 1 THROUGH 100 provide any warning
26 regarding the dangerous propensities within the SUBJECT CAMRY. At no time prior to the SUBJECT
27 CAMRY suddenly and unexpectedly accelerating on August 28, 2009, did the SUBJECT CAMRY include
28 a brake override or fail safe device to impede or stop the sudden unexpected acceleration of the SUBJECT

1 CAMRY, although such a feasible alternate design was available and had been used by other prominent
2 manufactures.

3 12. After defendants TOYOTA, TMC, R&C, and DOES 1 THROUGH 100, and each of them,
4 changed from a mechanical throttle system to an electronic throttle system contained within the Generation
5 Six Toyota Camry, comprising model years 2002 through 2006, the officers, directors and managing agents
6 of defendants TOYOTA, TMC, R&C, and DOES 1 THROUGH 100, knew that the throttle system in the
7 Generation Six Toyota Camry, including the SUBJECT CAMRY, was defective, including its propensity to
8 engage in sudden unexpected acceleration placing consumers and other members of the public at grave risk
9 of injury or death. The officers, directors and managing agents of defendants TOYOTA, TMC, R&C, and
10 DOES 1 THROUGH 100 knew that the Generation Six Toyota Camry, comprising model years 2002
11 through 2006, which includes the SUBJECT CAMRY, was not designed, warned, or manufactured with a
12 brake override or fail safe device that would prevent or impede the defective sudden unexpected
13 acceleration propensity of Generation Six Toyota Camry's, including the SUBJECT CAMRY. Even with
14 this knowledge, defendants TOYOTA, TMC, R&C, and DOES 1 THROUGH 100 chose not to recall the
15 Generation Six Toyota Camry, including the SUBJECT CAMRY.

16 13. The warranty and repair records of defendants TOYOTA, TMC, R&C, and DOES 1
17 THROUGH 100 and each of them, and other documents in the possession of these defendants, as well as
18 data collected by the National Highway Traffic Safety Administration (hereinafter, "NHTSA"), establish
19 that officers, directors and managing agents of defendants TOYOTA, TMC, R&C, and DOES 1
20 THROUGH 100, knew long prior to August 28, 2009, that the throttle system in the Generation Six Toyota
21 Camry, including the SUBJECT CAMRY, was defective in its propensity to engage in sudden unexpected
22 acceleration placing consumers and other members of the public at grave risk of injury or death. These
23 records reflect multiple events of defective sudden unexpected acceleration of Generation Six Toyota
24 Camry's, including incidents causing injury and death to consumers and members of the public, occurring
25 prior the defective sudden unintended acceleration of the SUBJECT CAMRY on August 28, 2009, which
26 caused the death of NORIKO UNO. Such incidents include the following:

27 • December 11, 2001: 2002 Toyota Camry – "While backing up vehicle suddenly surged and engine
28 revved. Consumer applied brake and emergency/parking brake, but could not stop the vehicle. Vehicle hit a

1 tree."

2 • August 14, 2002: 2002 Toyota Camry - "The vehicle suddenly accelerated uncontrollably."

3 • October 21, 2002: 2002 Toyota Camry - "While pulling into a parking space...accelerated to
4 maximum speed. The car jumped over the parking curb... clipped two cars...and the vehicle tipped over."

5 • October 27, 2002: 2002 Toyota Camry - "While stopping at a traffic light the engine revved
6 followed by sudden acceleration. The consumer proceeded to slam on the brake pedal to stop the
7 acceleration but it failed to do so."

8 • November 9, 2002: 2002 Toyota Camry - "I was driving on a highway when my brand new Camry
9 went out of control and sped up, sending the car through a guardrail. My car ended up on the other side of
10 the highway going the opposite direction...taken by ambulance to a trauma center where I was
11 hospitalized."

12 • January 23, 2003: 2003 Toyota Camry - "I braked but the vehicle accelerated. I depressed brake
13 fully, nonetheless the car accelerated uncontrollably and very quickly. Vehicle only stopped by violent
14 collision with two parked vehicles and cement blocks."

15 • May 9, 2003: 2002 Toyota Camry - "While attempting to park with foot applied to brake pedal,
16 vehicle suddenly accelerated crashing into a tree."

17 • May 13, 2003: 2003 Toyota Camry - "The vehicle experienced sudden acceleration...and collided
18 with seven other vehicles. Consumer tried to stop the vehicle by applying the brakes however the brakes
19 failed and the engine continued to race."

20 • June 6, 2003: 2003 Toyota Camry - "Sudden acceleration caused car to jump a curb and hit a tree."

21 • August 29, 2003: 2002 Toyota Camry - "Vehicle accelerated forward...attempted to brake, but the
22 vehicle did not respond."

23 • September 4, 2003: 2002 Toyota Camry - "The Camry experienced an un-commanded acceleration
24 causing Mrs. Cafua to loose control resulting in the accident and her death."

25 • October 1, 2003: 2003 Toyota Camry - "The vehicle experienced sudden acceleration...collided
26 with fuel pump guard rail, drove through it and crashed into the rear of a vehicle."

27 • November 17, 2003: 2002 Toyota Camry - "The consumer was involved in an accident after his
28 vehicle suddenly accelerated and did not stop when the brakes were applied."

1 • December 12, 2003: 2003 Toyota Camry -- "She stepped on the brake and the car accelerated. She
2 hit a tree as the car picked up speed."

3 • January 28, 2004: 2003 Toyota Camry -- "Vehicle suddenly accelerated. Consumer was unable to
4 maintain control of the vehicle and it hit another vehicle head-on."

5 • February 5, 2004: 2002 Toyota Camry -- "While waiting at a stop sign consumer pressed the brakes
6 and the vehicle surged forward. Consumer continued to press the brakes and applied the hand brake, and
7 the vehicle continued to surge forward, eventually colliding with a snow bank."

8 • February 25, 2004: 2004 Toyota Camry -- "The car accelerated and surged despite depressing the
9 brake...the car broke a metal flag pole, damaged a retaining wall and fell seven feet into a major
10 street...significant injuries."

11 • March 9, 2004: 2002 Toyota Camry -- "While backing out of the driveway, the vehicle surged
12 uncontrollably. As a result the vehicle crashed into a fence."

13 • March 12, 2004: "2002 Toyota Camry surges forward unexpectedly. Brakes are being applied but
14 the vehicle accelerates."

15 • March 14, 2004: 2002 Toyota Camry -- "While driving at 12 miles per hour vehicle surged
16 forward...caused consumer to loose control of the vehicle and hit five parked vehicles in parking lot head-
17 on before stopping."

18 • March 14, 2004: 2004 Toyota Camry -- "The car accelerated uncontrollably to a speed of 80 to 92
19 miles per hour in less than 250 feet when the car hit a mobile home. They hit so hard it moved the double
20 wide almost a foot. Killing mother passenger and injury to her friend the driver."

21 • March 15, 2004: 2003 Toyota Camry -- "While in a parking lot and backing out of a parking space
22 vehicle accelerated suddenly hitting a pedestrian. One person was injured and one person was killed in this
23 accident."

24 • March 16, 2004: 2003 Toyota Camry -- "Vehicle accelerated out of control. Vehicle grazed another
25 vehicle, went across the street, grazed a building and drove straight into another building....They found the
26 driver with both feet still on the brake pedal...Later died due to fatal injuries from the crash."

27 • March 27, 2004: 2002 Toyota Camry -- "Vehicle accelerated when in reverse...crashed into a tree
28 and mailbox."

- 1 • March 30, 2004: 2002 Toyota Camry – “While applying brake pedal...vehicle suddenly
2 accelerated...caused the driver to loose control of the vehicle and hit another vehicle.”
- 3 • April 2, 2004: 2002 Toyota Camry – “While driving at 25 miles per hour, the vehicle suddenly
4 accelerated. The brakes were applied, but failed to stop the vehicle...The consumer’s vehicle jumped a curb
5 onto grass surface. The vehicle retained the same speed, but didn’t slow down, and drove 700 feet before
6 hitting a sign and two trees.”
- 7 • May 12, 2004: 2003 Toyota Camry – “The car suddenly accelerated causing her to loose control
8 and jump the curb and strike a portable basketball pole in front of the corner house.”
- 9 • May 14, 2004: 2002 Toyota Camry – “The vehicle accelerated on its own, struck five vehicles
10 head-on.”
- 11 • May 28, 2004: 2002 Toyota Camry – “While driving the vehicle suddenly accelerated while the
12 consumer was approaching a stop sign and lunged forward into an intersection.”
- 13 • June 14, 2004: 2003 Toyota Camry – “Vehicle suddenly accelerated...unable to maintain control of
14 the vehicle...consumer placed both feet on the brakes, but the vehicle continued to accelerate...jumped a
15 curb and collided with a glass window inside a store.”
- 16 • July 7, 2004: Sudden unintended acceleration of 2002 Toyota Camry (“The engine suddenly raced
17 and the vehicle would not stop”);
- 18 • September 16, 2004: 2004 Toyota Camry – “Unexpectedly, without pressing on the gas pedal, car
19 rapidly accelerated and hit a building.”
- 20 • September 28, 2004: 2003 Toyota Camry – “Vehicle suddenly accelerated and hit a concrete wall.”
- 21 • October 6, 2004: 2002 Toyota Camry – “Vehicle suddenly experienced a surge in acceleration. Car
22 crashed into a tree.”
- 23 • November 19, 2004: 2002 Toyota Camry – “The consumer experienced sudden acceleration. The
24 brakes failed to work causing an accident.”
- 25 • November 21, 2004: 2003 Toyota Camry – “Vehicle suddenly accelerated out of control into
26 adjacent neighbor’s yard. Immediate and continual application of brakes did nothing...forced to strike a row
27 of trees to stop run away vehicle.”
- 28 • December 9, 2004: 2002 Toyota Camry “throttle wide open when put in reverse...caused car to go

1 completely out of control striking several objects coming to rest in the middle of the road.”

2 • December 30, 2004: 2004 Toyota Camry – “The vehicle accelerated suddenly and hit a parked

3 car.”

4 • January 17, 2005: 2002 Toyota Camry “suddenly accelerated uncontrollably causing me to crash

5 into a retaining wall.”

6 • February 12, 2005: 2004 Toyota Camry – “Suddenly accelerated unexpectedly and without

7 warning while foot was squarely and firmly on the brake pedal.”

8 • March 7, 2005: 2005 Toyota Camry – “The vehicle surged forward while foot was on the brake.

9 The vehicle went over a sidewalk, pushed over a sign and hit a fence.”

10 • March 29, 2005: 2002 Toyota Camry “suddenly accelerated uncontrollably. Driver applied

11 brakes...Driver unable to maintain control of vehicle and it crashed into a brick wall.”

12 • April 2, 2005: 2002 Toyota Camry – “The vehicle kept accelerating. I immediately started to apply

13 the brake, which did not slow the vehicle...The vehicle would not slow, and kept accelerating, causing it to

14 go over the concrete curb/sidewalk and right into a set of stairs at the complex.”

15 • April 3, 2005: 2002 Toyota Camry – “unexpectedly accelerated at high speed and hit a tree before

16 stopping.”

17 • April 12, 2005: 2003 Toyota Camry – “The car suddenly accelerated rapidly on its own. I firmly

18 applied the brake to stop but the car continued to accelerate...after striking an SUV, moving it out of the

19 way and into another car, the car continued to accelerate until it was stopped by a metal light pole.”

20 • April 20, 2005: 2003 Toyota Camry – “Consumer was putting the car on planks to change oil and

21 vehicle accelerated and hit consumer's spouse who sustained injuries.”

22 • June 17, 2005: 2005 Toyota Camry – “Pulling out of mall had foot on brake, instead of slowing it

23 down the vehicle surged forward.”

24 • June 20, 2005: 2004 Toyota Camry – “The vehicle accelerated without warning...pumped the

25 brakes and it would not stop. The car went into an eight lane highway and was hit by an 18 wheeler and a

26 pick-up truck, The driver sustained injuries.”

27 • August 26, 2005: 2004 Toyota Camry – “Suddenly and unexpectedly surged forward out of

28 control.”

- 1 • September 11, 2005: 2005 Toyota Camry – “The car suddenly had a surge of acceleration...crash
2 into two parked cars.”
- 3 • September 25, 2005: 2002 Toyota Camry – “Brakes were unable to bring car to a stop, instead the
4 car accelerated. Car finally came to a stop after crashing into a house.”
- 5 • October 5, 2005: 2002 Toyota Camry “attempting to stop behind a school bus full of children,
6 almost hit the bus from behind because accelerator went to full acceleration as we applied the brakes.”
- 7 • October 14, 2005: 2003 Toyota Camry – “When placing foot on the brake pedal the vehicle
8 accelerated. It became airborne and did not stop until it crashed into an embankment. Both driver and
9 passenger have fractured vertebrae.”
- 10 • October 22, 2005: 2002 Toyota Camry “suddenly sped up to about 45 miles per hour in reverse.
11 The car would not stop even as I applied the brake, and it then hit two cars.”
- 12 • November 5, 2005: 2003 Toyota Camry – “The vehicle suddenly accelerated...from 2 mph to being
13 out of control...crashed into a wooden retaining wall.”
- 14 • November 7, 2005: 2005 Toyota Camry – “Vehicle surged forward, lost control and hit another
15 vehicle.”
- 16 • November 14, 2005: 2002 Toyota Camry suddenly accelerates “across two sidewalks and a
17 hospital lawn and into two trees.”
- 18 • December 27, 2005: 2005 Toyota Camry – “The vehicle surged and suddenly accelerated without
19 warning. The brake pedal was depressed...the vehicle went through an intersection and over a public
20 sidewalk before crashing into a fire hydrant.”
- 21 • January 21, 2006: 2003 Toyota Camry – “The accident occurred as I entered a gas station to pump
22 gas. I lost control with sudden acceleration. I hit another car parked at the gas pump.”
- 23 • January 24, 2006: 2002 Toyota Camry – “The manufacturer claimed that all systems were
24 functioning properly when the consumer’s vehicle suddenly accelerated and ended up inside a travel
25 agency.”
- 26 • February 24, 2006: 2005 Toyota Camry – “Suddenly and quite rapidly accelerated without any
27 input...jumped a curb, crossed a sidewalk, and a tree stopped the car. I felt I had no control over the car.”
- 28 • March 14, 2006: 2002 Toyota Camry – “lurched forward six times with the brake pedal

1 depressed...manufacturer has been alerted."

2 • March 25, 2006: 2004 Toyota Camry – "Sudden acceleration of 2004 Toyota Camry.. sideswiped
3 Jeep and took out a load bearing wall."

4 • April 3, 2006: 2003 Toyota Camry – "The car suddenly accelerated in reverse and went out of
5 control, hitting another car parked across from mine."

6 • April 15, 2006: 2006 Toyota Camry – "2006 Camry surged ahead when foot was firmly on the
7 brake."

8 • May 3, 2006: 2006 Toyota Camry – "Pulling out of a parking lot and the car kept going and was
9 almost hit by a semi-truck."

10 • May 9, 2006: 2003 Toyota Camry – "While driving slowly at 1 mph with foot on brake pedal, the
11 vehicle accelerated causing an accident."

12 • June 6, 2006: 2002 Toyota Camry suddenly accelerated and "crashed into a house."

13 • July 31, 2006: 2005 Toyota Camry – "During the sudden acceleration the vehicle did not respond
14 to brake pressure."

15 • September 11, 2006: 2005 Toyota Camry – "Suddenly the vehicle surged forward without my foot
16 being on the accelerator. I applied the brake, but the vehicle continued to move forward. My car went over
17 a concrete median, and into a lane of traffic. My car struck two cars...Though I had both feet Applying the
18 brakes as hard as I could the vehicle would not stop."

19 • September 18, 2006: 2006 Toyota Camry – "The vehicle suddenly lurched backwards crashing into
20 a tree."

21 • September 19, 2006: 2002 Toyota Camry suddenly accelerates from 10 miles per hour "to 30 miles
22 per hour crashing into as pole."

23 • September 21, 2006: 2002 Toyota Camry suddenly accelerated to high speed. "The driver
24 depressed the brake pedal, but the vehicle would not stop...The vehicle went over an embankment and
25 struck a steel light pole...significant injuries to the driver."

26 • October 1, 2006: 2005 Toyota Camry – "The car suddenly lunged forward. I couldn't stop the car,
27 as hard as I braked... I hit the truck in front of me."

28 • November 21, 2006: 2005 Toyota Camry – "At the entrance to Hammond Elementary School...the

1 engine raced at high RPM as soon as I shifted into reverse. Although I was pressing on the brake, the car
2 zoomed back...stuck the left corner of a parked school bus...over a curb and into a playground...The car
3 continued at high speed in the grassy playground...my foot was always pressing on the brake."

4 • December 6, 2006: 2006 Toyota Camry – "The vehicle accelerated without intention...crashed into
5 the garage wall and then into the kitchen."

6 • December 6, 2006: 2004 Toyota Camry – "Vehicle accelerated backwards, sideswiped a vehicle,
7 jumped a curb, and struck another vehicle before coming to a stop. Passenger sustained head injuries."

8 • December 8, 2006: At stop sign, with driver's foot on brake, 2002 Camry suddenly accelerates into
9 multiple impacts with car stopped in front.

10 • December 23, 2006: 2005 Toyota Camry – "The car suddenly accelerated and hit a parked car. The
11 brakes did not work, even when floored. The car would not stop until it pushed another car up onto the
12 sidewalk."

13 • January 27, 2007: 2005 Toyota Camry – "The car lunged forward as it I had stomped on the
14 accelerator. I took my foot off the gas. It continues to accelerate as quickly as possible. I used the brakes
15 with no results. I was terrified as I zoomed out of the car wash and into an area where there is heavy
16 pedestrian as well as vehicular traffic. I could tell that I was going As fast as the car would go...I crossed
17 the sidewalk, Pine Street and the parking lot of a convenience store. I hit a telephone pole, an iron poll and
18 a large poll on a sign for gas. Both my legs were broken."

19 • February 18, 2007: 2003 Toyota Camry – "'Vehicle in reverse and it accelerated on its own
20 without warning...His foot remained on the brake pedal and the vehicle continued to accelerate...over a curb
21 and hit a tree."

22 • February 27, 2007: 2003 Toyota Camry – "Vehicle accelerated out of control and caused her to hit
23 another car and a house."

24 • February 27, 2007: 2003 Toyota Camry – "2003 Camry accelerated out of control and rear ended
25 second vehicle and then a building before stopping. Operator attempted to stop the vehicle by fully
26 depressing brakes, pumping brakes and shifting to neutral to no avail."

27 • March 7, 2007: 2004 Toyota Camry – "The vehicle accelerated to almost 50 miles per hour for 20
28 – 30 seconds causing it to crash into a pole."

- 1 • May 1, 2007: 2006 Toyota Camry – “The car suddenly surged forward at a high rate of speed...foot
2 was on the brake the entire time. The car went over a cement block...jumped over a curb onto a grassy
3 center island and finally stopped when it hit a tree.”
- 4 • May 24, 2007: 2006 Toyota Camry – “The vehicle suddenly accelerated and failed to stop...crashed
5 into a cement wall.”
- 6 • May 30, 2007: 2005 Toyota Camry – “Involved in an accident when the vehicle surged forward
7 without warning.”
- 8 • June 19, 2007: 2003 Toyota Camry – “The vehicle accelerated automatically to 45 mph as she was
9 pulling into a parking space. There were no warning indicators. The vehicle struck a cement block.”
- 10 • August 30, 2007: 2004 Toyota Camry – “Vehicle accelerated without warning and crashed into an
11 office building off Derry Avenue.”
- 12 • September 9, 2007: 2006 Toyota Camry – “The vehicle rapidly accelerated over a curb and through
13 the glass of a store front.”
- 14 • September 14, 2007: 2005 Toyota Camry – “While driving 2 mph the vehicle surged forward
15 without warning while the brake pedal was depressed...crashed into a wall.”
- 16 • January 31, 2008: 2003 Toyota Camry – “The car accelerated on its own out of control.”
- 17 • February 8, 2008: Sudden unintended acceleration of 2002 Toyota Camry on freeway results in
18 high speed impact with barrier wall causing consumer multiple fractures requiring two month
19 hospitalization;
- 20 • April 3, 2008: Sudden unintended acceleration of 2002 Toyota Camry while in reverse, backing
21 out of driveway, “at full speed and did not stop until it went across the street and hit a tree even though I
22 was trying to brake.”
- 23 • June 5, 2008: 2003 Toyota Camry – “The vehicle suddenly accelerated caused crash into another
24 vehicle. He attempted to apply the brakes, but the vehicle would not stop.”
- 25 • July 20, 2008: 2003 Toyota Camry – “Brakes failed to stop the car...veered left to avoid going over
26 a 20 foot embankment...and crashed into a stone wall.”
- 27 • August 15, 2008: 2003 Toyota Camry – “While stepping on brake...the vehicle suddenly
28 accelerated and the car backed at high speed into my neighbor’s driveway, and would only stop after

1 crashing into a brick wall."

2 • August 15, 2008: 2003 Toyota Camry - "When applying the brake the vehicle surged forward at
3 high speed jumped the curb and went crashing into the building."

4 • September 4, 2008: 2004 Toyota Camry - "While driving 2 mph the vehicle suddenly lurched
5 forward when the brake pedal was depressed...crashed into a curb and a wall."

6 • October 19, 2008: 2005 Toyota Camry - "The vehicle accelerated with her foot on the brake pedal
7 and hit a brick wall."

8 • November 11, 2008: 2004 Toyota Camry - "Vehicle accelerated and crashed into a
9 vehicle...treated at emergency room for injuries."

10 • January 22, 2009: 2005 Toyota Camry - "At a local high school accelerated at maximum speed
11 backwards grazing one car and smashing into another parked car about 25 feet away."

12 • February 9, 2009: 2006 Toyota Camry - "The vehicle accelerated without intention and crashed
13 into a house."

14 • February 11, 2009: 2002 Toyota Camry "accelerated without warning...crashed into a wall"

15 • February 27, 2009: 2006 Toyota Camry - "Surged suddenly...uncontrolled surge caused vehicle to
16 crash into other objects."

17 • March 19, 2009: 2004 Toyota Camry - "The vehicle accelerated without intention...crashed into a
18 wall."

19 • June 20, 2009: "2003 Toyota Camry involved in an 8 car accident on 6/20/09. Car accelerated
20 uncontrollably and driver was unable to stop car."

21 • August 4, 2009: 2005 Toyota Camry - "Crashed into a tree when the car accelerated rapidly."

22 • August 4, 2009: 2005 Toyota Camry - Vehicle operator unable to control acceleration and was
23 killed in a fatal crash.

24 • August 5, 2009: 2004 Toyota Camry - "Pressure was applied to the brake pedal with force and the
25 vehicle failed to slow down and crashed into a tree."

26 • August 9, 2009: Sudden unintended acceleration of 2002 Toyota Camry through service bay wall
27 in gas station;

28 • August 15, 2009: "Driving 2004 Toyota Camry when sudden acceleration occurred and vehicle ran

1 into a Senior Center building.”

2 14. The aforesaid incidents of defective sudden unintended acceleration of Generation Six
3 Toyota Camrys, model years 2002 through 2006, comprise only a portion of the incidents of defective
4 sudden unintended acceleration of Toyota Camrys, model years 2002 through 2006, known to exist by the
5 officers, directors and managing agents of defendants Defendants TOYOTA, TMC, R&C, and DOES 1
6 through 100, prior to August 28, 2009.

7 15. In addition to each the aforesaid instances of sudden unintended acceleration in Generation
8 Six Toyota Camrys, model years 2002 through 2006, the officers, directors and managing agents of
9 Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, knew of the death of Guadalupe Alberto,
10 who was killed in April 2008, in Flint, Michigan, when her 2005 Toyota Camry suddenly and unexpectedly
11 accelerated from 25 miles per hour to over 80 miles per hour until it collided with a tree, became airborne
12 and collided with a second tree causing her death.

13 16. By manufacturing, designing, failing to warn, selling, failing to recall, failing to retrofit, and
14 profiting from the sale of Generation Six Toyota Camrys, including the SUBJECT CAMRY, with actual
15 knowledge that such vehicles are afflicted with a defect that causes sudden unexpected acceleration of
16 Generation Six Toyota Camrys, including the SUBJECT CAMRY, Defendants TOYOTA, TMC, R&C,
17 and DOES 1 through 100, and their officers, directors and managing agents, engaged in despicable conduct
18 done with a willful and knowing disregard of the rights and safety of others such that punitive damages
19 should be assessed against them.

20
21 **FIRST CAUSE OF ACTION**

22 **STRICT LIABILITY -WRONGFUL DEATH, SURVIVAL**

23 **ACTION AGAINST DEFENDANTS TOYOTA MOTOR SALES, USA, INC., TOYOTA MOTOR**
24 **CORPORATION, R&C MOTOR CORPORATION, AND DOES 1-100**

25 17. Plaintiffs incorporate by this reference, as though fully set forth at herein, each and every
26 allegation and statement contained in paragraphs 1 through 16, inclusive.

27 18. Plaintiffs are informed and believe, and thereon allege, that the aforementioned SUBJECT
28 CAMRY and its component parts, including but not limited to its acceleration and braking systems, and

1 constituents thereof, or lack of same, were defectively designed, manufactured, fabricated, distributed, sold,
2 retailed, wholesaled, recommended, tested, modified, controlled, advertised, created, processed, prepared,
3 constructed, packaged, utilized, provided, warranted, repaired, maintained, marketed, leased, rented,
4 vended, installed, handled, labeled, promoted, furnished, analyzed, inspected, supplied, warned, and placed
5 into the stream of commerce by defendants TOYOTA, TMC, R&C, and DOES 1 through 100, inclusive.

6 19. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, inclusive, designed,
7 manufactured, distributed and sold the SUBJECT CAMRY, and placed the SUBJECT CAMRY into the
8 stream of commerce knowing that the SUBJECT CAMRY would be used in its intended manner.

9 20. At the time of the aforesaid events on August 28, 2009, the SUBJECT CAMRY, while
10 being used in a reasonably foreseeable manner, failed to perform as safely as an ordinary consumer would
11 have expected, failed to conform with its manufacturing specifications, its design was the substantial factor
12 in causing injuries and death, and failed to contain adequate warnings.

13 21. As a legal result of the acts and omissions of Defendants TOYOTA, TMC, R&C, and DOES
14 1 through 100, and each of them, plaintiffs YASUHARU UNO and JEFFREY UNO are each deprived of
15 the love, companionship, comfort, affection, society, solace, moral support, protection, services, advice,
16 training, and financial support of decedent NORIKO UNO, all to their damage in an amount according to
17 proof.

18 22. As a further legal result of the acts and omissions of the defendants, and each of them, and
19 the death of decedent NORIKO UNO caused thereby, plaintiffs YASUHARU UNO and JEFFREY UNO
20 have incurred economic damages, including funeral and burial expenses, all to their damage in an amount
21 according to proof.

22 23. Prior to her death NORIKO UNO sustained economic damages in an amount according to
23 proof at trial. Decedent NORIKO UNO was the registered owner of the SUBJECT CAMRY. After the
24 sudden unintended acceleration of her SUBJECT CAMRY on August 28, 2009, and prior to her death, as
25 NORIKO UNO was attempting desperately to slow and control the SUBJECT CAMRY, decedent
26 NORIKO UNO suffered economic damages and loss of personal property, including property damage to
27 her SUBJECT CAMRY. The SUBJECT CAMRY sustained exterior damage upon impact with a telephone
28 pole and trees in the center median prior to the death of decedent NORIKO UNO. As the surviving husband

1 and successor in interest of decedent NORIKO UNO, plaintiff YASUHARU UNO is a proper
2 representative to pursue a survival action in the present proceeding in accordance with *Code of Civil*
3 *Procedure*, § 377.30.

4 24. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, and each of them, had
5 unfettered ability, after years of extensive in-house testing and investigations, to minimize the substantial
6 risk of serious bodily harm or death caused by the SUBJECT CAMRY by redesigning, properly
7 manufacturing, or adequately warning of the potential for serious risk or harm. Defendants TOYOTA,
8 TMC, R&C, and DOES 1 through 100 consciously chose not to take such steps. These acts by defendants
9 prevented the public from becoming aware that the SUBJECT CAMRY was, in reality, unsafe, dangerous
10 and defective, thereby causing the herein-described injuries, deaths and damages to plaintiffs and decedent.
11 As a result of these acts and omissions, punitive damages should be assessed against defendants TOYOTA,
12 TMC, R&C, and DOES 1 through 100.

13 25. In addition, plaintiffs are informed and believe and thereon allege that the aforementioned
14 malfeasance, nonfeasance, defective design, manufacture and distribution, failure to warn, conscious
15 disregard and despicable conduct were done with the advance knowledge, authorization, approval and
16 ratification of officers, directors and/or managing agents of the aforesaid defendants, and each of them.
17 Persons within the corporate hierarchy of defendants TOYOTA, TMC, R&C, and DOES 1 through 100,
18 who were authorized to act on behalf of defendants, acted despicably in willful and conscious disregard of
19 the rights and safety of others. Acts of malicious conduct attributable to defendants TOYOTA, TMC,
20 R&C, and DOES 1 through 100, were done by a person or persons with the authority to make corporate
21 policy decisions on behalf of said defendants and/or the power within the corporate structure of said
22 defendants to enforce or not enforce the corporate policies of said defendants.

23 26. Information regarding risks of death and serious injury to others inherent in the design,
24 manufacture, warning, and distribution of the SUBJECT CAMRY was known to responsible officers,
25 employees and agents of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100 who exercised
26 substantial discretionary authority over decisions that resulted in the formulation of corporate policy for
27 said defendants. Corporate decisions regarding the design, manufacture, distribution, warning, and
28 marketing of the SUBJECT CAMRY that constituted despicable conduct in this case were made by persons

1 within the corporate hierarchy of said defendants who were authorized by said defendants to make those
2 decisions on behalf of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100. As a result of the
3 totality of the acts and omissions, punitive damages should be assessed against defendants TOYOTA,
4 TMC, R&C, and DOES 1 through 100.

5
6 **SECOND CAUSE OF ACTION**

7 **NEGLIGENCE – WRONGFUL DEATH, SURVIVAL ACTION**

8 **AGAINST DEFENDANTS TOYOTA MOTOR SALES, USA, INC., TOYOTA MOTOR**
9 **CORPORATION, R&C MOTOR CORPORATION, AND DOES 1-100**

10 27. Plaintiffs incorporate herein by reference, as though fully set forth at length, each and every
11 allegation and statement contained in paragraphs 1 through 26.

12 28. At all times herein relevant, defendants TOYOTA, TMC, R&C, and DOES 1 through 100
13 were and are engaged in the business of, including but not limited to, selling, designing, manufacturing,
14 fabricating, distributing, retailing, wholesaling, recommending, testing, modifying, controlling, advertising,
15 creating, processing, preparing, constructing, packaging, utilizing, providing, warranting, servicing,
16 repairing, maintaining, marketing, leasing, renting, vending, installing, handling, labeling, promoting,
17 advertising, furnishing, retailing, analyzing, inspecting, supplying, warning and placing into the stream of
18 commerce the SUBJECT CAMRY.

19 29. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, including their employees,
20 agents, directors, officers, stockholders, partners and associates, had a legal duty to conform their conduct
21 in accordance with the law and that of a reasonable person, which includes adequately and properly
22 managing and operating their business and their manufacturing, design, warning, distribution, and retail
23 operations; adequately and properly training and supervising their employees and agents, including their
24 designers, inspectors, quality control agents and other manufacturing, testing, distribution and delivery
25 personnel; properly designing, manufacturing, warning, inspecting, servicing, and distributing the
26 SUBJECT CAMRY; recalling the SUBJECT CAMRY; and acting without negligence, conscious
27 disregard, despicable or other wrongful conduct.

28 30. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, including their employees,

agents, directors, officers, stockholders, partners and associates, failed to conform their conduct in accordance with the law and that of a reasonable person, causing the death of NORIKO UNO and the resulting injuries and damages to plaintiffs YASUHARU UNO and JEFFREY UNO.

31. As a legal result of the acts and omissions of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, and each of them, plaintiffs YASUHARU UNO and JEFFREY UNO are each deprived of the love, companionship, comfort, affection, society, solace, moral support, protection, services, advice, training, and financial support of decedent NORIKO UNO, all to their damage in an amount according to proof.

32. As a further legal result of the acts and omissions of the defendants, and each of them, and the death of decedent NORIKO UNO caused thereby, plaintiffs YASUHARU UNO and JEFFREY UNO have incurred economic damages, including funeral and burial expenses, all to their damage in an amount according to proof.

33. Prior to her death NORIKO UNO sustained economic damages in an amount according to proof at trial. Decedent NORIKO UNO was the registered owner of the SUBJECT CAMRY. After the sudden unintended acceleration of her SUBJECT CAMRY on August 28, 2009, and prior to her death, as NORIKO UNO was attempting desperately to slow and control the SUBJECT CAMRY, decedent NORIKO UNO suffered economic damages and loss of personal property, including property damage to her SUBJECT CAMRY. The SUBJECT CAMRY sustained exterior damage upon impact with a telephone pole and trees in the center median prior to the death of decedent NORIKO UNO. As the surviving husband and successor in interest of decedent NORIKO UNO, plaintiff YASUHARU UNO is a proper representative to pursue a survival action in the present proceeding in accordance with *Code of Civil Procedure*, § 377.30.

34. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, and each of them, had unfettered ability, after years of extensive in-house testing and investigations, to minimize the substantial risk of serious bodily harm or death caused by the SUBJECT CAMRY by redesigning, properly manufacturing, adequately warning, or recalling for the potential for serious risk or harm. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100 consciously chose not to take such steps. These acts by defendants prevented the public, decedent, and plaintiffs from becoming aware that the SUBJECT

1 CAMRY was, in reality, unsafe, dangerous and defective, thereby causing the herein-described injuries,
2 deaths and damages to plaintiffs and decedent. As a result of these acts and omissions, punitive damages
3 should be assessed against defendants TOYOTA, TMC, R&C, and DOES 1 through 100.

4 35. In addition, plaintiffs are informed and believe and thereon allege that the aforementioned
5 malfeasance, nonfeasance, negligent design, manufacture, distribution, service, inspection, failure to recall,
6 and failure to warn, were done with the conscious disregard for the rights and safety of others and
7 constitute such despicable conduct. Such acts and inactions were done with the advance knowledge,
8 authorization, approval and ratification of officers, directors and/or managing agents of the aforesaid
9 defendants, and each of them. Persons within the corporate hierarchy of defendants TOYOTA, TMC,
10 R&C, and DOES 1 through 100, who were authorized to act on behalf of defendants, acted despicably in
11 willful and conscious disregard of the rights and safety of others. Acts of malicious conduct attributable to
12 defendants TOYOTA, TMC, R&C, and DOES 1 through 100, were done by a person or persons with the
13 authority to make corporate policy decisions on behalf of said defendants and/or the power within the
14 corporate structure of said defendants to enforce or not enforce the corporate policies of said defendants.

15 36. Information regarding risks of death and serious injury to others inherent in the design,
16 manufacture, warning, and distribution of the SUBJECT CAMRY was known to responsible officers,
17 employees and agents of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100 who exercised
18 substantial discretionary authority over decisions that resulted in the formulation of corporate policy for
19 said defendants. Corporate decisions regarding the design, manufacture, distribution, warning, and
20 marketing of the SUBJECT CAMRY that constituted despicable conduct in this case were made by persons
21 within the corporate hierarchy of said defendants who were authorized by said defendants to make those
22 decisions on behalf of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100. As a result of the
23 totality of the acts and omissions, punitive damages should be assessed against defendants TOYOTA,
24 TMC, R&C, and DOES 1 through 100.

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1 **THIRD CAUSE OF ACTION**

2 **BREACH OF EXPRESS AND IMPLIED WARRANTIES- WRONGFUL DEATH, SURVIVAL**
3 **ACTION AGAINST DEFENDANTS TOYOTA MOTOR SALES, USA, INC., TOYOTA MOTOR**
4 **CORPORATION, R&C MOTOR CORPORATION, AND DOES 1-100**

5 37. Plaintiffs incorporate herein by reference, as though fully set forth at length, each and every
6 allegation and statement contained in paragraphs 1 through 36.

7 38. The SUBJECT CAMRY and component parts thereof were not free from defects or fit for
8 the purpose for which they were to be used, and were in fact defectively designed, manufactured and
9 distributed and imminently dangerous to consumers, users and bystanders and they were capable of
10 causing, and in fact did cause, serious and permanent injuries and death to the users and consumers thereof,
11 including plaintiffs and decedent herein, while being used in a manner reasonably foreseeable to defendants
12 and each of them. As a result, the SUBJECT CAMRY was unsafe and dangerous for use by the consumer,
13 user and/or bystander, and in particular plaintiffs and decedents.

14 39. Defendants TOYOTA, TMC, R&C, and DOES 1 through 100, and each of them, impliedly
15 and expressly warranted to plaintiffs, decedent, and foreseeable users of the SUBJECT CAMRY that the
16 SUBJECT CAMRY and the component parts thereof were fit for the purpose for which they were intended
17 to be used and were free from manufacturing and design defects

18 40. The SUBJECT CAMRY was defective and was not fit for its intended purpose, and the
19 component parts thereof were capable of causing, and in fact did cause serious and permanent injuries and
20 deaths to users and consumers thereof, including plaintiffs and decedent, while being used in a manner
21 reasonably foreseeable to defendants and each of them.

22 41. Defendants and each of them, impliedly warranted to purchasers and users of the SUBJECT
23 CAMRY, including the general public, decedent and plaintiffs, that their products including the SUBJECT
24 CAMRY was suitable for its intended use, was of merchantable quality, and had no substantial risk of
25 sudden failure.

26 42. On or about August 28, 2009, as a direct, legal and proximate result of each breach of
27 defendants' implied and express warranties, the aforesaid decedent suffered severe injuries to her person,
28 including death, while using the SUBJECT CAMRY in the manner for which it was intended, and in a

1 manner that was foreseeable to defendants, and each of them.

2 43. As a legal result of the acts and omissions of the defendants, and each of them, which were
3 a substantial factor in causing the death of decedent, plaintiffs are each deprived of the love,
4 companionship, comfort, affection, society, solace, moral support, protection, services, advice, training, and
5 financial support of the aforesaid decedent, all to their damage in an amount according to proof.

6 44. As a further legal result of the acts and omissions of the defendants, and each of them, and
7 the death of decedent thereby, plaintiffs have incurred funeral and burial expenses, all to their damage in an
8 amount according to proof.

9 45. As a further legal result of the acts and omissions of defendants, and each of them, plaintiff
10 YASU HARU UNO'S personal property were destroyed and plaintiff was required to employ towing and
11 other services all in an amount according to proof.

12 46. Plaintiffs are informed and believe and thereon allege that the aforementioned breaches
13 were done with the conscious disregard for the rights and safety of others and constitute such despicable
14 conduct. Such acts and inactions were done with the advance knowledge, authorization, approval and
15 ratification of officers, directors and/or managing agents of the aforesaid defendants, and each of them.
16 Persons within the corporate hierarchy of defendants TOYOTA, TMC, R&C, and DOES 1 through 100,
17 who were authorized to act on behalf of defendants, acted despicably in willful and conscious disregard of
18 the rights and safety of others. Acts of malicious conduct attributable to defendants TOYOTA, TMC,
19 R&C, and DOES 1 through 100, were done by a person or persons with the authority to make corporate
20 policy decisions on behalf of said defendants and/or the power within the corporate structure of said
21 defendants to enforce or not enforce the corporate policies of said defendants.

22 47. Information regarding risks of death and serious injury to others inherent in the design,
23 manufacture, warning, and distribution of the SUBJECT CAMRY was known to responsible officers,
24 employees and agents of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100 who exercised
25 substantial discretionary authority over decisions that resulted in the formulation of corporate policy for
26 said defendants. Corporate decisions regarding the design, manufacture, distribution, warning, and
27 marketing of the SUBJECT CAMRY that constituted despicable conduct in this case were made by persons
28 within the corporate hierarchy of said defendants who were authorized by said defendants to make those

1 decisions on behalf of Defendants TOYOTA, TMC, R&C, and DOES 1 through 100. As a result of the
2 totality of the acts and omissions, punitive damages should be assessed against defendants TOYOTA,
3 TMC, R&C, and DOES 1 through 100.

4
5 WHEREFORE, plaintiffs YASUHARU UNO and JEFFREY UNO each pray for judgment against
6 all defendants, as follows:

7 1. For economic damages, including loss of financial support, loss of gifts and benefits,
8 funeral and burial expenses, cost of household services, and personal property in an amount according to
9 proof at trial;

10 2. For non-economic damages, including for the loss of the love, companionship, comfort,
11 care, assistance, protection, affection, society, moral support, training and guidance of decedent NORIKO
12 UNO, in an amount according to proof at trial;

13 3. For punitive damages against defendants, and each of them, in an amount to be determined
14 by the jury at trial;

15 4. For costs of suit herein incurred;

16 5. For such other and further relief as the court may deem proper.

17
18 Dated: February 3rd, 2010

MARDIROSSIAN & ASSOCIATES, INC.

19
20 By: 

21 Garo Mardirossian, Esq.

22 Armen Akaragian, Esq.

23 Attorneys for Plaintiffs
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